

#### **REMARKS**

Claims 1-8 stand rejected under 35 USC §102(b) as being unpatentable over Cragun. Applicants respectfully traverse the rejection.

The teachings of Cragun may be easily compared to Applicants' claims by referring to Fig. 4. Applicants only compare claim 1 to Fig. 4, but the same arguments apply to Applicants' remaining claims.

Cragun fails to teach, "displaying first information in response to said sensing step by a display of the kiosk to attract attention of the person to the first information of the display and to attempt to persuade the person to approach and use the kiosk" (Emphasis added). In response to sensing step 102, Cragun performs step 112 to look for a touch. Only if there was no touch does Cragun display information in step 114.

Cragun fails to teach, "timing a time period of displaying the first information". Following step 114, Cragun determines whether someone is still in the vicinity of the kiosk in step 116. There is no timing associated with the display of best pitch information identified in step 114.

Cragun fails to teach, "displaying second information which is less distinctive than the first information by the display if the person does not begin use of the kiosk within the time period". If someone is no longer in the vicinity of the kiosk as determined in step 116, then operation returns to step 102, after which step 104 requires displaying of second information based upon lack of someone in the proximity of the kiosk, not expiration of a time period following lack of use.

The prior art made of record but not relied upon has been noted.

In view of the foregoing remarks, Applicants respectfully submit that claims 1-8 are in condition for allowance. Action to that end is hereby solicited.



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